

2. The properties not disclosed are there was a bank account of the deceased, in which an amount of Rs. 39,000/- was lying. Further allegation is that

the deceased had left gold ornaments; and the third property alleged not to have been disclosed in the Schedule, was the shop property at Mahim.

3. The learned Counsel for the respondents state that they have not committed contempt in any manner. As to the amount of Rs. 39,000/- alleged by the petitioner to be lying in the bank, was not known to them. The Counsel for the respondent further states that so far as the gold ornaments are concerned, they do not belong to the deceased and as regard the Mahim shop property, they state that it is disclosed.

4. The learned Counsel for the Petitioner admits the disclosure of the Mahim shop property, in the Schedule. However the grievance is that the income from the shop has not been disclosed. The learned Counsel for the respondents states that there is no income from the shop premises at Mahim.

5. In contempt jurisdiction this Court cannot go into the disputed aspects of the matter as to whether there was any income fetched from the property etc., as that was not the undertaking. The undertaking was only with regard to the disclosure of the properties.

6. Under the circumstances, I do not find any merit in this contempt petition. The contempt petition is accordingly dismissed.

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(S.K. SHAH, J.)